

REMARKS

By this Amendment, Applicants propose to cancel claim 26 without prejudice or disclaimer of the subject matter therein. Upon entry of this Amendment, claims 1-25 and 27-61 are pending in this application.

According to 37 C.F.R. § 41.33(b)(2), amendments filed on or after the date of the filing a brief pursuant to § 41.37 may be admitted:

- (1) To cancel claims, where such cancellation does not affect the scope of any other pending claim in the proceeding, or
- (2) To rewrite dependent claims into independent form.

This Amendment is being filed along with an appeal brief and it merely cancels claim 26. The proposed cancellation of claim 26 would render the sole objection to that claim, as set forth in the final Office Action mailed December 1, 2004, moot.

In view of the foregoing, Applicants respectfully request entry of this Amendment under 37 C.F.R. § 41.33 (b)(2). If the Examiner believes that a telephonic conference would be useful in resolving any outstanding issues, the Examiner is respectfully urged to contact the undersigned at 202.408.4460.

Please grant any extensions of time required to enter this response and charge
any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 3, 2005

By: 

Frank A. Italiano
Reg. No. 53,056